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COMCAST BUSINESS COMMUNICATIONS, INC., AT&T BROADBAND EXECUTIVE
6 CHANGE IN CONTROL SEVERANCE PLAN, and AT&T BROADBAND CHANGE IN
CONTROL SEVERANCE PLAN

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11 Attorneys for Plaintiff
12 MICHAEL J. BRINSKELE

13 UNITED STATES DISTRICT COURT
14
15 NORTHERN DISTRICT OF CALIFORNIA

16 MICHAEL J. BRINSKELE,

17 Plaintiff,

18 v.

19 COMCAST BUSINESS COMMUNICATIONS,
INC.; and AT&T BROADBAND EXECUTIVE
20 CHANGE IN CONTROL SEVERANCE PLAN,

21 Defendants.
22
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Case No. C 05-01678 MMC

STIPULATION RE RELATED CASES
AND ~~PROPOSED~~ ORDER

24 Pursuant to Northern District Local Rules 7-11, the parties
25 by and through their attorneys of record hereby stipulate as
26 follows:

27 Plaintiff Michael J. Brinskele filed a lawsuit against
28 Defendants Comcast Business Communications, Inc. and AT&T

1 Broadband Exclusive Change In Control Severance Plan, Case No.
2 CV 05-01678 MMC (hereinafter referred to as "Brinskele
3 lawsuit").

4 Plaintiff Michael J. Fontes, filed a lawsuit against the
5 same Defendants. That case is entitled "*Fontes v. Comcast*
6 *Business Communications, Inc. and AT&T Broadband Change In*
7 *Control Severance Plan*," Case No. C 05-01679 CW (hereinafter
8 referred to as "Fontes lawsuit").

9 Pursuant to Northern District Local Rules 3-12, the
10 Brinskele lawsuit and Fontes lawsuits are related cases, as (1)
11 both actions concern substantially the same parties, property,
12 transaction or event; and (2) it appears likely that there will
13 be an unduly burdensome duplication of labor and expense or
14 conflicting results if the cases are conducted before different
15 Judges.

16 These two cases involve the substantially the same named
17 parties. Both parties involve the same employer, Comcast
18 Business Communications, Inc. ("Comcast"). Plaintiff Brinskele
19 managed Plaintiff Fontes while both worked for Comcast.
20 Further, both plaintiffs worked out of the same office for
21 Comcast, at Pinole, California, and therefore both cases involve
22 similar events and transactions. Also, both Plaintiffs were the
23 subject of a company investigation of the Pinole office, in the
24 May-June 2003 timeframe, and both were terminated from their
25 employment on the same date, on or about June 29, 2003, as a
26 result of the same company investigation.

27 Further, the two cases also involve substantially similar
28 issues of law - specifically, the Complaints allege (1) ERISA

1 violation, 29 U.S.C. section 1001 et. seq.; and (2) breach of
2 contract claims.

3 It appears that assignment of these two cases to a single
4 judge will likely conserve judicial resources and promote a more
5 efficient determination of the actions.

6 The Brinskele lawsuit is the earliest filed case.

7 For these reasons, the parties stipulate that the Brinskele
8 lawsuit and the Fontes lawsuits are related, and that both cases
9 should be heard by the Hon. Maxine M. Chesney.

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11 IT IS SO STIPULATED.

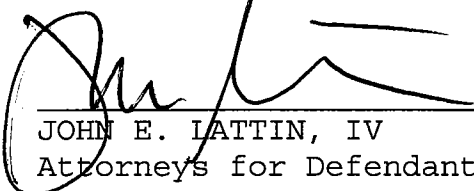
12 Dated: September 21, 2005

SEIFER, MURKEN, DESPINA & JAMES

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15 DOUGLAS G. MURKEN
Attorneys for Plaintiff
16 MICHAEL J. BRINSKELE

17 Dated: September 21, 2005

FISHER & PHILLIPS LLP

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19 
20 JOHN E. LATTIN, IV
Attorneys for Defendants
21 COMCAST BUSINESS COMMUNICATIONS,
22 INC., AT&T BROADBAND EXECUTIVE
23 CHANGE IN CONTROL SEVERANCE PLAN,
24 and AT&T BROADBAND CHANGE IN
25 CONTROL SEVERANCE PLAN

26 IT IS SO ORDERED.

27 DATED: _____, 2005

28 HON. MAXINE M. CHESNEY
DISTRICT COURT JUDGE

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8 lawsuit and the Fontes lawsuits are related, and that both cases
9 should be heard by the Hon. Maxine M. Chesney.

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11 IT IS SO STIPULATED.

12 Dated: September 21, 2005

SEIFER, MURKEN, DESPINA & JAMES

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DOUGLAS C. MURKEN
Attorneys for Plaintiff
MICHAEL J. BRINSKELE

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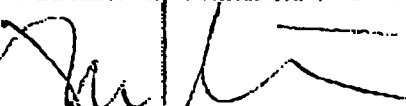
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Dated: September 21, 2005

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CHANGE IN CONTROL SEVERANCE PLAN,
and AT&T BROADBAND CHANGE IN
CONTROL SEVERANCE PLAN

IT IS SO ORDERED.

DATED: September 28, 2005


HON. MAXINE M. CHESNEY
DISTRICT COURT JUDGE